

**Barnett, Shawn**

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**From:** Marx, Jason  
**Sent:** Friday, December 08, 2017 11:49 AM  
**To:** Barnett, Shawn  
**Subject:** FW: Tambrasha Hudson v. City of Chicago et al., 16 C 4452

See below email from Plaintiff's counsel.

Jason Marx  
Assistant Corporation Counsel  
30 N. LaSalle Street, Suite 900  
Chicago, IL 60602  
(312) 744-1975

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**From:** Carlton Odum [mailto:carlton@actioninjurylawgroup.com]  
**Sent:** Friday, December 08, 2017 11:32 AM  
**To:** Marx, Jason  
**Cc:** Andrew M. Stroth  
**Subject:** Re: Tambrasha Hudson v. City of Chicago et al., 16 C 4452

Jason,

Thanks for pointing out the error. This email provides the corrections relating to the claims that plaintiff is not pursuing against Officer Riordan.

The plaintiff will not pursue any claim against Defendant Riordan based on an allegation that he stopped, seized, shot or killed Pierre Lory.

Therefore, as to Defendant Riordan only:

1. Count 1 (1983) is modified to exclude the allegation contained in paragraph 18 of the Second Amended Complaint about "chasing Pierre Lory and shooting him with a firearm without just cause/and or failing to intervene to prevent this shooting."
2. Count 3 (Survival) is withdrawn in total.
3. Counts 4 and 5 (Funeral expenses & wrongful death) are withdrawn in total.
4. Count 6 (State law conspiracy) is modified to exclude the allegation contained in paragraph 54 of the Second Amended Complaint about conspiracy to "stop, seize, shoot and kill Pierre Lory."
5. Count 7 (Battery) is withdrawn in total.

The Section 1983 claim that remains against Riordan is his post-shooting conduct with Hitz in covering-up Hitz's unconstitutional shooting of Lory.

Carlton

On Dec 6, 2017, at 12:08 PM, Marx, Jason <[Jason.Marx@cityofchicago.org](mailto:Jason.Marx@cityofchicago.org)> wrote:

Hi Carlton,

Thank you for your below email. But the Second Amended Complaint is the operative Complaint in this case. If you could please send me a new email to reflect what you are dismissing from the Second Amended Complaint, I'd appreciate it.

Also, I don't know what claim you are making against Defendant Riordan in Count 1. It's titled "Unconstitutional Seizure." But according to your email, you are not alleging he chased and shot Pierre Loury without just cause. Nor are you alleging he failed to intervene to prevent this shooting. So what are you alleging Defendant Riordan did that constituted an unconstitutional seizure? I need to know for purposes of summary judgment.

Thank you,  
Jason Marx  
Assistant Corporation Counsel  
30 N. LaSalle Street, Suite 900  
Chicago, IL 60602  
(312) 744-1975

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**From:** Carlton Odum [<mailto:carlton@actioninjurylawgroup.com>]  
**Sent:** Tuesday, December 05, 2017 5:06 PM  
**To:** Marx, Jason  
**Cc:** Andrew M. Stroth  
**Subject:** Re: Tambrasha Hudson v. City of Chicago et al., 16 C 4452

Jason,

This email follows the telephone conference we had yesterday regarding your client's intended motion for summary judgment.

The plaintiff will not pursue any claim against Defendant Riordan based on an allegation that he stopped, seized, shot or killed Pierre Loury. Therefore, as to Defendant Riordan only:

1. Count 1 (1983) is modified to exclude the allegation contained in paragraph 18 of the First Amended Complaint about "chasing Pierre Loury and shooting him with a firearm without just cause/and or failing to intervene to prevent this shooting."
2. Count 3 (Survival) is withdrawn in total.
3. Count 4 (Funeral expenses/wrongful death) is withdrawn in total.
4. Count 5 (State law conspiracy) is modified to exclude the allegation contained in paragraph 48 of the First Amended Complaint about conspiracy to "stop, seize, shoot and kill Pierre Loury."
5. Count 6 (Battery) is withdrawn in total.

All claims against Defendant Hitz stand.

Carlton

On Dec 1, 2017, at 10:59 AM, Marx, Jason <[Jason.Marx@cityofchicago.org](mailto:Jason.Marx@cityofchicago.org)> wrote:

Hi Counsel,

I left a message for you both recently. I'm asking for a brief conversation to talk about summary judgment, as discussed in the attached previously sent letter. If one (or both) of you could call me, I'd appreciate it.

Thank you,  
Jason Marx  
Assistant Corporation Counsel  
30 N. LaSalle Street, Suite 900  
Chicago, IL 60602  
(312) 744-1975

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Carlton Odum

Odum Law Offices  
225 West Washington Street  
Suite 2200  
Chicago, Illinois 60606

e-mail: [carlton@odumlawoffices.com](mailto:carlton@odumlawoffices.com)  
Tel: (312) 578-9390  
Fax: (312) 924-0201

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Carlton Odum

Odum Law Offices  
225 West Washington Street  
Suite 2200

Chicago, Illinois 60606

e-mail: [carlton@odimlawoffices.com](mailto:carlton@odimlawoffices.com)

Tel: (312) 578-9390

Fax: (312) 924-0201

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